



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
February 24, 2023

Kevin Soderstrom, Esq., NSB No. 10235
GHIDOTTI BERGER, LLP
7251 West Lake Mead Blvd. Suite 470
Las Vegas, NV 89128
Tel: (949) 427-2010
Fax: (949) 427-2732
Email: bknotifications@ghidottiberger.com

Attorney for Movant,
U.S. Bank Trust National Association as Trustee of the Cabana Series IV Trust, its successors
and/or assigns

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA - LAS VEGAS DIVISION

In re:	)	CASE NO.: 22-13869-mkn
)	
RICHARD C RAYNOHA,	)	Chapter 13
)	
	)	<u>ORDER GRANTING MOTION FOR</u>
Debtor.	)	<u>RELIEF FROM THE AUTOMATIC STAY</u>
)	
	)	Real Property: 708 SALT FLATS CIR,
	)	HENDERSON, NV 89011
)	
	)	Hearing Date: February 8, 2023
	)	Time: 1:30 a.m.
	)	Courtroom: 1
	)	Location: 300 Las Vegas Boulevard South
	)	Las Vegas, Nevada 89101

1 Secured Creditor, U.S. Bank Trust National Association as Trustee of the Cabana Series IV
2 Trust, its successors and/or assigns (“**Movant**”), through undersigned counsel, applied for an order
3 terminating the automatic stay, allowing Movant to proceed with and complete any and all contractual
4 and statutory remedies incident to its security interest held in real property commonly described as 708
5 SALT FLATS CIR, HENDERSON, NV 89011 (“**Property**”). A hearing came before the Honorable
6 Mike K. Nakagawa on February 8, 2023. Movant was represented by Counsel at the hearing. Based
7 upon the pleadings contained herein and oral argument:

8 **IT IS THEREFORE ORDERED** that:

9 1. Movant is granted relief from the automatic stay provisions of 11 U.S.C. 362 to
10 allow Movant to immediately proceed with and complete any and all contractual and statutory
11 remedies incident to the security interest held under its Note and Deed of Trust in the Property,
12 including but not limited to foreclosure of and to hold a Trustee’s Sale of the Property legally
13 described as indicated in **Exhibit “A”** incorporated herein pursuant to applicable state law, and
14 commence any action necessary to obtain complete possession of the subject Property;

15 2. The co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a) is terminated, modified or
16 annulled as to the co-debtor, on the same terms and conditions as to the Debtor;

17 3. Fed.R.Bankr.P., Rule 4001(a)(3) be waived and the stay terminate upon entry of
18 the order.

19 4. This Order is binding and effective despite any conversion of this case.

20 Respectfully submitted February 20, 2023

21
22 SUBMITTED BY:

23 By: /s/ Kevin Soderstrom
24 Kevin Soderstrom, Esq., NSB No. 10235
25 Ghidotti Berger, LLP
26 Attorney for Movant
27
28

In accordance with LR 9021, counsel for Movant hereby certifies as follows (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all attorneys and/or unrepresented individuals who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

EXHIBIT “A”

EXHIBIT "A"
LEGAL DESCRIPTION

LOT ONE HUNDRED FORTY-SIX (146) IN BLOCK FIVE (5) OF SOUTH VALLEY RANCH - PARCEL 5A UNIT BIV AS SHOWN BY MAP THEREOF ON FILE IN BOOK 76 OF PLATS, PAGE 81 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

RESERVING THEREFROM, A NON-EXCLUSIVE EASEMENT FOR USE AND ENJOYMENT IN AND TO THE ASSOCIATION PROPERTY AS SET FORTH IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND GRANT OF EASEMENTS FOR SOUTH VALLEY RANCH, RECORDED JULY 25, 1996 IN BOOK 960725 AS DOCUMENT NO. 00004, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL TWO (2):

A NON-EXCLUSIVE EASEMENT FOR USE AND ENJOYMENT IN AND TO THE ASSOCIATION PROPERTY AS SET FORTH IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND GRANT OF EASEMENTS FOR SOUTH VALLEY RANCH, RECORDED JULY 25, 1996 IN BOOK 960725 AS DOCUMENT NO. 00004, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, WHICH EASEMENT IS APPURTENANT TO PARCEL ONE (1).

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:

NEVADA TITLE COMPANY

03-16-2000 14:52 TDW 18
OFFICIAL RECORDS

BOOK: 20000315 INST: 01471

FEE: 24.00 RPTT: .00